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Case No.: 1711

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EMT I.D. NO. 908915

## CONSENT AGREEMENT

A written Complaint has been filed with the Delaware State Fire Prevention Commission (“Commission”) alleging that Aaron J. Driscoll (“Respondent”), an emergency medical technician in the State of Delaware, has engaged in conduct which constitutes grounds for discipline under 16 *Del. C.* Ch. 67 and the Delaware State Fire Prevention Regulations.

Respondent and the State, by the undersigned Deputy Attorney General, enter into this Consent Agreement and submit it to the Commission for review and approval as a means of resolving the pending administrative prosecution against Respondent pursuant to 16 *Del. C.* Ch. 67 and 29 *Del. C.* Ch. 101.

**IT IS UNDERSTOOD AND AGREED THAT:**

1. Respondent is a resident
2. ") is a resident of Selbyville, Delaware and is certified as an emergency medical technician ("EMT") in Delaware pursuant to the provisions of 16 *Del. C.* Ch. 67.
3. Respondent's EMT certification, I.D. Number 908915 was originally issued on or about January 2, 2014, expires on March 31, 2018, and is active.
4. On March 12, 2017, Respondent was arrested ("arrest") by the Delaware State Police Troop 4 and charged ("charge") with driving under the influence in violation of 21 *Del. C.* § 4177.
5. On May 2, 2017, Respondent pled guilty to a lesser charge of Reckless Driving

("conviction"), a misdemeanor, in violation of 21 *Del. C.* § 4177 and was fined.

6. Respondent did not self-report report his arrest, charge, or conviction to the Fire Commission.

7. Respondent has violated Part 710, Section 14.8 of the Delaware State Fire Prevention Regulations in that he has failed to self-report his arrest, charge, or conviction.

8. Respondent hereby admits that the allegations set forth in paragraphs one (1) through seven (7) above are true and correct.

9. Respondent and the State agree that the appropriate disciplinary sanctions shall be as follows:

- a. Respondent will receive a Letter of Reprimand;
- b. Respondent's license will be placed on probation for a period of one (1) year from the date of the Commission's acceptance of this Consent Agreement as a final Order of the Commission; and
- c. After Respondent's license has been on probation for a period of 6 months, Respondent may petition the Board to lift the probation.

10. The parties to this Consent Agreement are the State of Delaware and Respondent.

11. The parties agree and acknowledge that nothing contained in this Consent Agreement shall affect any rights or interests of any person not a party to this Consent Agreement.

12. Respondent acknowledges that he is waiving his rights under the State Fire Prevention Regulations and 29 *Del. C.* Ch. 101 to a hearing before the Commission prior to the imposition of disciplinary sanctions.

13. Respondent acknowledges that he has carefully read and understands this Consent Agreement, and is entering into this Consent Agreement freely, knowingly, voluntarily, and after having received or having been afforded the opportunity to receive the advice of counsel.

14. Respondent acknowledges that this Consent Agreement is a public record within the meaning of 29 *Del. C.* § 10002 and will be available for public inspection and copying as provided for by 29 *Del. C.* § 10003.

15. The parties acknowledge and agree that this Consent Agreement is subject to approval by the Commission.

16. The parties acknowledge and agree that if the Commission does not accept this Consent Agreement, it shall have no force or effect, except as follows:


- a. Neither Respondent, nor anyone on his behalf, will in any way or in any forum challenge the ability of the Commission or any of its members to conduct an evidentiary hearing relating to the allegations in the subject Complaint;
- b. The Consent Agreement, or conduct or statements made in negotiating the Consent Agreement, will be inadmissible at any administrative, civil or criminal legal proceeding; and
- c. No provision contained in the Consent Agreement shall constitute or have the effect of an admission by the Respondent as to any fact alleged in the Complaint in this matter or in this Consent Agreement.

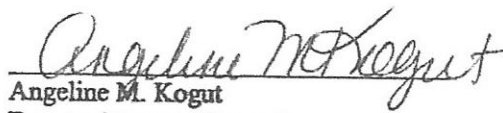
17. If the Commission accepts the Consent Agreement and enters it as an Order, the Consent Agreement shall be admissible as evidence at any future proceedings before the

Commission.

18. The parties acknowledge and agree that this Consent Agreement, along with any exhibits, addendums, or amendments hereto, encompasses the entire agreement of the parties and supersedes all previous understandings and agreements between the parties, whether oral or written. There are no other terms, obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever concerning this agreement.

19. This Consent Agreement shall be effective upon acceptance by the Commission and entry of the Commission's Order.

  
Aaron J. Driscoll  
Respondent

  
Angeline M. Kogut  
Deputy Attorney General  
Delaware Department of Justice

Dated: 7-26-17

Dated: 7-27-17

BEFORE THE STATE FIRE PREVENTION COMMISSION OF THE STATE OF  
DELAWARE

IN RE: AARON J. DRISCOLL

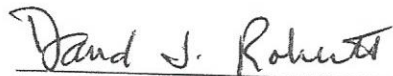
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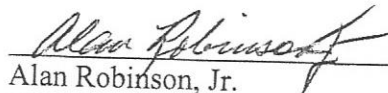
ORDER

WHEREAS, the Delaware State Fire Prevention Commission has reviewed this matter and hereby approves the Consent Agreement of the parties, and enters it now as an Order of the Delaware State Fire Prevention Commission;

IT IS SO ORDERED this 15<sup>th</sup> day of August, 2017.



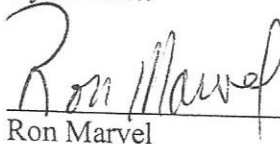
David J. Roberts  
Chairman

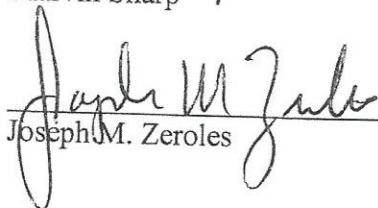
  
Alan Robinson, Jr.  
Vice Chairman

  
Tom Dicristofaro

Lynn Truitt

  
Marvin Sharp

  
Ron Marvel

  
Joseph M. Zeroles